

and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 2, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$120.

W. M. JARDINE, *Secretary of Agriculture.*

**12892. Misbranding of candy. U. S. v. the Savage Candy Co., a Corporation. Plea of guilty. Fine, \$40. (F. & D. No. 19001. I. S. Nos. 20021-v, 20654-v.)**

At the November, 1924, term of the United States District Court within and for the District of Colorado, the United States attorney for the said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against the Savage Candy Co., a corporation, Denver, Colo., alleging shipment by said company, in violation of the food and drugs act as amended, on or about May 7, 1924, from the State of Colorado into the State of Nebraska, and on or about May 22, 1924, from the State of Colorado into the State of Wyoming, of quantities of candy which was misbranded. The article in the shipment of May 7 was labeled in part: "Savage's Chocolate Dipped Willies Dream 5¢ The Savage Candy Co. Denver, Net Weight 2 Oz. Or Over." The article in the shipment of May 22 was labeled in part: "Savage's Turkish Delight 10¢ Net Weight 2½ Oz. Or Over 10¢."

Examination by the Bureau of Chemistry of this department of 300 packages of "Willies Dream" showed that the average net weight of the packages examined was 1.64 ounces. Examination of 48 packages of "Turkish Delight" showed that the average net weight of the packages examined was 2.08 ounces.

Misbranding of the articles was alleged in the information for the reason that the statements, to wit, "Net Weight 2 Oz. Or Over" and "Net Weight 2½ Oz. Or Over," borne on the respective labels, were false and misleading, in that the said statements represented that the packages contained 2 ounces net weight, or 2½ ounces net weight, as the case might be, of the said article, and, for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said packages contained 2 ounces net weight, or 2½ ounces net weight, as the case might be, of the said article, whereas, in truth and in fact, the said packages did not contain the amounts declared on the respective labels but did contain less amounts. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside, since the stated weight was more than the actual contents of the package.

On December 2, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$40.

W. M. JARDINE, *Secretary of Agriculture.*

**12893. Misbranding of oil. U. S. v. Theodore Economu and Emanuel G. Ritsos (Economu-Ritsos Co.). Pleas of guilty. Fine, \$150. (F. & D. No. 16214. I. S. Nos. 6614-t, 6615-t, 6616-t.)**

On June 26, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Theodore Economu and Emanuel G. Ritsos, trading as Economu-Ritsos Co., New York, N. Y., alleging shipment by said defendants, in violation of the food and drugs act as amended, on April 13, 1921, from the State of New York into the State of Connecticut, of quantities of oil which was misbranded. The article was labeled in part: (Can) "Extra Fine Quality Oil For Salads Victory Brand \* \* \* Net Contents 1 Gallon" (or "Net Contents ½ Gallon" or "Net Contents One Quart") "Packed By Economu-Ritsos Co., Inc., New York."

Examination by the Bureau of Chemistry of this department of a sample from each of the lots showed a shortage of 2.2 per cent in the contents of the alleged gallon cans, of 2.63 per cent in the contents of the alleged half-gallon cans, and of 8.46 per cent in the contents of the alleged quart cans.

Misbranding of the article was alleged in the information for the reason that the statements "Net Contents 1 Gallon," "Net Contents ½ Gallon," and "Net Contents One Quart," borne on the respective-sized cans containing the article, were false and misleading, in that the said statements represented that the cans contained 1 gallon net, one-half gallon net, or 1 quart net of the said article, as the case might be, and for the further reason that it was labeled

as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained 1 gallon net, one-half gallon net, or 1 quart net of the said article, as the case might be, whereas, in truth and in fact, each of the said cans did not contain the amount declared on the respective labels but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 4, 1924, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

**12894. Adulteration of canned salmon. U. S. v. 1,823 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released to be used as fish food. (F. & D. No. 17881. I. S. No. 8401-v. S. No. W-1431.)**

On October 27, 1923, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 1,823 cases of salmon, remaining in the original unbroken packages at Seattle Wash., alleging that the article had been shipped by the Hidden Inlet Canning Co., from Hood Bay, Alaska, October 10, 1923, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "My-T-Fine Brand Choice Pink Salmon."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance

On November 15, 1924, the Hidden Inlet Canning Co., Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the Oregon State Fish Commission to be used for fish food and that the claimant pay the costs of the proceedings

W. M. JARDINE, *Secretary of Agriculture*

**12895. Adulteration of canned salmon. U. S. v. 760 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond to be reconditioned. (F. & D. No. 18917. I. S. No. 7763-v. S. No. W-1556.)**

On August 20, 1924, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 760 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Consolidated Canneries, from Tenake, Alaska, June 20, 1924, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Target Brand Alaska Pink Salmon Packed in Alaska By Columbia Salmon Co. Seattle, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On November 21, 1924, the Alaska Consolidated Canneries, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department, and the bad portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**12896. Misbranding of meat scrap. U. S. v. 400 Sacks of Meat Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18801. I. S. No. 16651-v. S. No. E-4870.)**

On June 24, 1924, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 400 sacks of meat scrap, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Norfolk Tallow Co., from Portsmouth, Va., on or about May